

REMARKS

The applicants respectfully request reconsideration in view of the amendment and the following remarks. The applicants have amended the claims and specification as suggested by the Examiner in order to overcome the 35 USC §112 rejections. The applicants have amended the specification as suggested by the Examiner and have change the term “electrolytic solution” to “carrier liquid”.

The applicants appreciate Examiner Dote permitting the applicants to have a telephone interview on this application. The applicants discussed canceling the examples that referred to both methods 4 and 5 in Tables 1 and 3. The applicants believed that canceling these examples would expedite prosecution. The Examiner confirmed that canceling the claims would be permissible, but wanted to consider the prior art in view of the cancellation of the examples. The applicants have cancelled these examples as discussed.

Claims 39, 40, 42-45 and 48 were rejected under 35 USC §112 second paragraph. Claims 36, 42, 43 and 55-57 were rejected under 35 USC §112 first paragraph. Claims 35, 36, 44, 49-52, 55 and 58 were rejected under 35 USC §102(a) as being anticipated by WO 97/05529 hereinafter referred to as (“WO ‘529”). Claims 39 and 41 were rejected under 35 USC §103(a) as being obvious over WO ‘529, as evidenced by applicants’ admission at page 21 of the instant specification and the ACS File Registry No. 361391-57-3 (“ACS”), as applied to claim 35 above, further in view of additional teachings in WO ‘529. To the extent that these amendments do not overcome the 35 USC §112 first and second paragraph rejections, the applicants respectfully traverse these rejections.

35 U.S.C. §112 FIRST AND SECOND PARAGRAPH REJECTIONS

The applicants believe that the claims as amended are in compliance with 35 U.S.C. §112 first and second paragraphs. The applicants have amended the term “electrolytic solution” to “carrier liquid”. “Carrier liquid” is a term clear to one of ordinary skill in the art. The applicants discussed support for carrier liquid in the previous amendment. At page 3 of the applicants’ specification, refers to the term “solvent” for the electrolytic solution. It is clear from the examples that the solvent is the same as the electrolyte solution which uses a hydrocarbon ISOPAR. The solvent is a carrier liquid. The term “carrier liquid” is a well recognized term of art for the liquid solvent. The term “carrier liquid” is referred to in some of the cited patents, such as US Patent 5,843,613 at col. 7, lines 12-27 and refers to isoparaffin solvents, such as isobar; US Patent 5,019,477 at col. 4, lines 42-44, and col. 6, lines 27-49 refers to ISOPAR as the carrier liquid and US 4,659,640 refers to carrier liquids and specifically lists ISOPAR as one of the carrier liquids (see col. 2, lines 49-60).

The Examiner has questioned which methods 4 or 5 examples 20-30 were carried out. In order to expedite prosecution the applicants have cancelled the examples that referred to both methods 4 or 5.

The applicants respectfully disagree with the Examiner that hybrid mixtures is supported in the original application in the original claim 2. As the Examiner has correctly pointed out, there is no other disclosure in the specification for hybrid mixtures. Since the original claim 2 provides adequate support for the phrase “hybrid mixtures” the applicants believe that the claim is supported. However, in order to expedite prosecution the applicants have amended the claim. For the above reasons, these rejections should be withdrawn.

REJECTION OVER WO '529

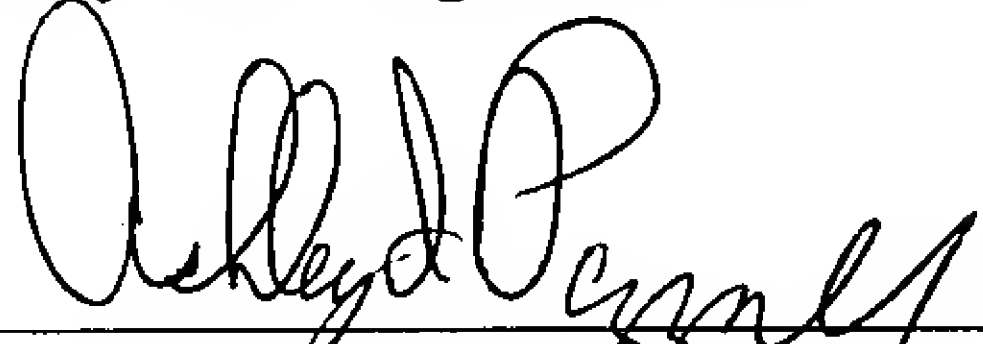
Claims 35, 36, 44, 49-52, 55 and 58 were rejected under 35 USC §102(a) as being anticipated by WO '529. Claims 39 and 41 were rejected under 35 USC §103(a) as being obvious over WO '529, as evidenced by applicants' admission at page 21 of the instant specification and the ACS, as applied to claim 35 above, further in view of additional teachings in WO '529. The applicants submitted an English translation of their Japanese priority application, which the applicants believe will establish a constructive reduction to practice for amended claims of December 26, 1996, which is prior to the February 1997 publication date of WO '529. The applicants believe that the claims as amended are clearly supported by the priority document. Therefore, WO '529 would not be an applicable reference. For the above reasons, the applicants respectfully request that these rejections be withdrawn.

No additional fees are due. If there are any additional fees due in connection with the filing of this response, including any fees required for an additional extension of time under 37 CFR 1.136, such an extension is requested and the Commissioner is authorized to charge or credit any overpayment to Deposit Account No. 03-2775.

For the reasons set forth above, Applicants believe that the claims are patentable over the references cited and applied by the Examiner and a prompt and favorable action is solicited. The applicants believe that these claims are in condition for allowance, however, if the Examiner disagrees, the applicants respectfully request that the Examiner telephone the undersigned at (302) 888-6270.

Respectfully submitted,

Connolly Bove Lodge & Hutz LLP

By 
Ashley I. Pezzner, Reg. No. 35,646
P.O. Box 2207
Wilmington, DE 19899
(302) 888-6270

254230_1.DOC